

Applicant or Patentee: **GARY AMES PECK**

Serial No.:

Filed:

Patent No.:

Issued:

For: **PAINTER'S TOOL TRAY**

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(F) AND 1.27 (B)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled **PAINTER'S TOOL TRAY** described in:

☒ The specification filed herewith

☐ Application Serial No.: Filed:

☐ Patent No.: Issued:

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☐ No such person, concern, or organization

☒ Persons, concerns or organization listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

Full Name: Peck Paint Products, LLC

Address: 36 Watson Avenue, Westfield, NY 14787

☐ Individual ☒ Small Business Concern ☐ Nonprofit

Full Name:

Address:

☐ Individual ☐ Small Business Concern ☐ Nonprofit

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

GARY AMES PECK

Name of Inventor(1)

Name of Inventor(2)

Name of Inventor(3)

Gary Ames Peck

Signature(1)

Signature(2)

Signature(3)

11/12/03

Date(1)

Date(2)

Date(3)

Applicant or Patentee: **Gary Ames Peck**

Docket No.: **CA-282**

Serial No.: **unknown**

Filed:

Patent No.:

Issued:

For: **PAINTER'S TOOL TRAY**

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) AND. 1.27 (c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

[] the owner of the small business concern identified below:

[X] an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: **PECK PAINT PRODUCTS LLC**

ADDRESS OF CONCERN: **36 Watson Avenue**
Westfield, NY 14787

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled:

PAINTER'S TOOL TRAY

by inventor(s): **GARY AMES PECK**
described in

[X] the specification filed herewith
[] application serial number:
[] Patent No.: Issued:

If the rights held by the above identified small business concern are not exclusive each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e). * NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name:

Address:

☐ Individual ☐ Small business ☐ nonprofit

Name:

Address:

☐ Individual ☐ Small business ☐ nonprofit

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of person signing: **John Weingart**

Title: **President, PECK PAINT PRODUCTS, LLC.**

Address of person signing: **36 Watson Avenue
WESTFIELD, NY 14787**

Signature:



Date: 11/12/03

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PAINTER'S TOOL TRAY

described and claimed in the attached specification.

This application discloses and claims subject matter disclosed in my earlier filed copending Provisional Patent Applications 60/425,668 filed 11/13/2002; 60/438,188 filed 01/07/2003; 60/447,340 filed 02/14/2003; and 60/455,427 filed 03/18/2003.

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims; that

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/425,668</u> (Prov. Appl. No.)	<u>11/13/02</u> (Filing Date)	<u>Pending</u> (Status)
<u>60/438,188</u> (Prov. Appl. No.)	<u>01/07/03</u> (Filing Date)	<u>Pending</u> (Status)

60/447,340
(Prov. Appl. No.)

02/14/03
(Filing Date)

Pending
(Status)

60/455,427
(Prov. Appl. No.)

03/18/03
(Filing Date)

Pending
(Status)

I hereby appoint William J. Crossetta, Jr. (Reg. No. 25790) having the mailing address:

Crossetta & Associates
905 Convention Towers
43 Court Street
Buffalo, New York 14202

my attorney and/or agent, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith. Please address all correspondence to William J. Crossetta, Jr. at the above address.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 11/12/03


Name: Gary Ames Peck

Residence & Post Office Address: 36 Watson Avenue
Westfield, New York 14787

Citizenship: United States